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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/695,355 | 10/29/2003 | Dale R. Hallberg | 2577-0393 | 5982 |
| 7590 | 03/08/2006 | | EXAMINER | |
| TIMOTHY J. KLIMA, ESQ. HARBIN KING & KLIMA 500 NINTH STREET S.E. WASHINGTON, DC 20003 | | | MAI, TRI M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3727 | |

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|-------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/695,355 | HALLBERG, DALE R. |
| | Examiner Tri M. Mai | Art Unit 3727 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/29/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the the mechanism allowing the partition wall to be movable (cl. 6), the waterproof liner (cl. 15), the first compartment being shallower than the second one (cl. 5), and at least one of the compartments runs an entire depth of the case (cl. 7) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. Claim 1, 2, 4, 6-10, 12, and 13 are rejected under 35 U.S.C. 102 (b) as being anticipated by Frandsen (2389299). Frandsen teaches a multicompartiment case having first compartment

size with first lid 22, a second compartment with second lid 21s and each of the lids can be opened and closed independently as claimed. Note the first and second compartments are sealed and isolate from one another by movable partition 41 as claimed.

3. Claim 13 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Frandsen in view of Clerc (2399787). It would have been obvious for one of ordinary skill in the art to provide a plurality of latches in each of the lid to provide added security.

4. Claims 1- 3, 5-7, 9, 10, and 12-14 are rejected under 35 U.S.C. 102 (b) as being anticipated by either Pike (786312) or Feinberg (2334079). Pike teaches a first and second compartments with corresponding lids 4, 4a. Feinberg teaches first and second compartments with corresponding lids 45, 21.

5. Claims 1-3, 5, and 9-15 are rejected under 35 U.S.C. 102 (b) as being anticipated by Weber (4020930). Weber teaches a first and second compartments with corresponding lids on opposite sides.

6. Claim 11 is rejected under 35 U.S.C. 103 (a) as being unpatentable over either Frandsen or Pike in view of Weber. It would have been obvious for one of ordinary skill in the art to make the case of from metal as taught by Weber (col. 2, ln. 19) to provide the desired material for the case.

7. Claim 15 is rejected under 35 U.S.C. 103 (a) as being unpatentable over anyone of Frandsen or Pike or Weber in view of Kivett (2878907). It would have been obvious for one of ordinary skill in the art to provide a waterproof liner as taught by Kivett (col. 2, ln. 40) to provide added protection.

8. Claim 16 is rejected under 35 U.S.C. 103 (a) as being unpatentable over anyone of Frandsen or Pike or Weber in view of Neal (2706036) or Reel et al.(4790431). It would have been obvious for one of ordinary skill in the art to provide foam insert as taught by Neal or Reel to provide protection for the contents

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on (571)272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tri M. Mai
Primary Examiner
Art Unit 3727